

Admission of CIRP Applications on the basis of Form D (Record of Default) issued by NeSL-Information Utility

NCLT, Allahabad Bench, Prayagraj, in the CIRP Application filed by M/s Saurav Misira Enterprises Private Limited under Section 9 of IBC, 2016 (CP(IB) No. 69/ALD/2024), has admitted the application for initiation of Corporate Insolvency Resolution against the Corporate Debtor M/s Bihariji Packaging Products Private Limited, vide Order dated 06.06.2025.

In the above-mentioned Order, the Hon'ble members of NCLT have placed reliance on the contents of the Records of Default issued by NeSL-IU in determining **default, for admitting the application filed under Section 9 of IBC, 2016, read with Rule 6 of the Insolvency & Bankruptcy (Application to Adjudicating Authority) Rules, 2016, for initiating CIRP.**

The relevant extracts of the Orders of NCLT are as under:

Page 9 - Para 19:

"...the default has also been recorded under Form D, Record of Default by National E-Governance Services Limited (NeSL), as follows:

(a) Name of the Submitter:	<i>M/s SAURAV MISIRA ENTERPRISES</i>
(b) Schedule-2 Bank (Y/N):	<i>N</i>
(c) Name of the Corporate Debtor:	<i>M/s BIHARIJI PACKAGING PRODUCTS PRIVATE LIMITED</i>
(d) Unique Debt Identifier Number:	<i>AAPCS9826G AADCB7117P04</i>
(e) Registered Address:	<i>119/372, DARSHAN PURWA, GUMTI NO. 5, Kanpur, KANPUR, Uttar Pradesh, India, 208012</i>
(f) Total Outstanding Amount:	<i>73867413.00</i>
(g) Default Amount:	<i>73867413.00</i>
(h) Date of Default:	<i>24-04-2019</i>
(i) Status of Authentication of Default:	<i>DEEMED TO BE AUTHENTICATED</i>
(j) Date of Last Acknowledgement of Debt (AoD):	<i>01.03.2024</i>

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Page 10 – Para 20:

"... Thus, it is evident that a valid debt has been incurred and remains unpaid, leading to a default on the part of the Corporate Debtor. . "

Page 12 – Para 24:

"After finding that in the present case, the present Application is filed within limitation period, there is debt more than the threshold limit of Rs. 1 crore, there is a default in repayment of the said debt and there is no pre-existing dispute with respect to this debt, further, all other conditions for admission of application under Section 9(5)(i) of the I & B Code 2016 against the Corporate Debtor, have also been found to be fulfilled, we find this application as being fit for admission under Section 9(5)(i) of the I & B Code, 2016 for starting CIRP against the Corporate Debtor. . "